sector # 18

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**PATENT** 

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Evan McCONNELL et al.		)	BOX: MISS	SING PARTS	
Serial No.:	09/917,776	)			
Filed:	July 31, 2001	)			
For:	MOBILE TEACHING SYSTEM	)	Atty Dkt:	5131.00003	

### RESPONSE TO NOTICE TO FILE MISSING PARTS

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application -- Filing Date Granted dated July 31, 2001 Applicants submit herewith the following documents for appropriate action by the U.S. Patent and Trademark Office:

- 1. Petition Under 37 C.F.R. § 1.47(a)
- 2. Declaration of Joseph P. Curtin
- 3. Submission Regarding Inventorship
- 4. Fee Transmittal Sheet (In Duplicate);
- 5. Copy of the Notice to File Missing Parts;
- 6. Executed Declaration for Patent Application; and
- 7. Assignment.

The Assistant Commissioner for Patents is authorized to charge our Deposit Account No.

19-0733 the amount of \$1,310.00 as follows:

\$710.00 basic filing fee;

\$130.00 - surcharge for late filing of executed Declaration;

\$430.00 - additional claims fee (\$270.00 for 15 over 20) and (\$160.00 for 2 ind. over 3); and

\$40.00 – assignment recordation.

If any additional fees are required, the Assistant Commissioner is authorized to charge our Deposit Account No. 19-0733.

Respectfully submitted,

Soseph P. Curtin

Registration No. 34,571

BANNER & WITCOFF, LTD. 1001 G Street, N.W., 11<sup>th</sup> Floor Washington, D.C. 20001 (202) 508-9100

Dated: January 14, 2002



#### **PATENT**

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Evan McCONNELL et al.		)		
Serial No.:	09/917,776	)	Group:	TBA
Filed:	July 31, 2001	)	Examiner:	TBA
For:	MOBILE TEACHING SYSTEM	)	Atty Dkt:	5131.00003

### **SUBMISSION REGARDING INVENTORSHIP**

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Applicants respectfully submit that one of the inventors listed on the executed Joint Declaration is, in actuality, not an inventor of the claimed subject matter of the above-captioned patent application. Specifically, William Singleton has indicated, upon review of the application and claimed subject matter, that he is not an inventor of the claimed subject matter. The undersigned attorney discussed Mr. Singleton's tasks and responsibilities in connection with the claimed subject matter with Mr. Singleton and has determined that Mr. Singleton did not conceive or contribute to the conception of the claimed subject matter.

Applicants respectfully submit that William Singleton was listed on the Joint Declaration without deceptive intent.

Consequently, in accordance with 37 C.F.R. § 1.48(f), the submission of the executed Joint Declaration, the Petition Under 37 C.F.R. § 1.47(a), the Declaration of Joseph P. Curtin, 440331-1 -1- (09/917,776)

and this Submission Regarding Inventorship, which have each been submitted in response to the Notice To File Missing Parts, corrects the inventorship of the present patent application. Specifically, the inventors for the above-captioned patent application are Evan McConnell, Joseph Caporaletti, Robert Vanderlip, Anthony Tomarchio, Tex Rubinowitz, Bryan Smith and Mark Sebastian. William Singleton is not an inventor.

Should any questions remain, the Petitions Examiner is invited to contact the undersigned to further prosecution.

Respectfully submitted,

January 14, 2002

Joseph P. Curtin

Registration No. 34,571

BANNER & WITCOFF, Ltd.

Eleventh Floor

1001 G Street, N.W.

Washington, D.C. 20001-4597

(202) 508-9100

(202) 508-9299 (facsimile)

TOTAL AMOUNT OF PAYMENT



**FEE TRANSMITTAL** 

for FY 2002

Patent fees are subject to annual revision.

1310

Complete if Known 09/917,776 Application Number July 31, 2001 Filing Date First Named Inventor McConnell **Examiner Name** TBA Group / Art Unit TBA 05131.00003 Attorney Docket No.

The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:  Deposit Account Number  The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:  The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:  Small Entity Entity  Fee Fee Fee Fee Fee Fee Fee Fee Fee Fe	
Deposit Account Number    Deposit   Account   19-0733   105   130   205   65   Surcharge - late filing fee	
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Name 147 2,520 147 2,520 For filing a request for r	
☐ Charge Any Additional Fee Required  Under 37 CFR 1.16 and 1.17  112  920*  112  920*  112  920*  Requesting publication  Examiner action	of SIR prior to
Applicant claims small entity status.  See 37 CFR 1.27  113 1,840° 113 1,840° Requesting publication Examiner action	of SIR after
2. Payment Enclosed: 115 110 215 55 Extension for reply with	in first month
☐ Check ☐ Credit card ☐ Money ☐ Other 116 400 216 200 Extension for reply with	<u> </u>
Older 117 000 217 460 Extension for reply with	in third month
FEE CALCULATION 117 920 217 400 Extension to reply with 1. BASIC FILING FEE month	<b>——</b>
Large Entity Small Entity 128 1,960 228 980 Extension for reply with	in fifth month
Fee Fee Fee Fee Description 119 320 219 160 Notice of Appeal	
Code (\$) Code (\$) Fee Paid 120 320 220 160 Filing a brief in support	of an appeal
101 710 201 370 Utility filing fee 710 121 280 221 140 Request for oral hearing	
106 330 206 165 Design filing fee	
108 740 208 370 Reissue filing fee 140 110 240 55 Petition to revive – una	voidable
114 160 214 80 Provisional filling fee 141 1,280 241 640 Petition to revive – unin	
142 1,280 242 640 Utility issue fee (or reiss	
SUBTOTAL (1) (\$) 710 143 460 243 230 Design issue fee	,
2. EXTRA CLAIM FEES  Extra Fee from Fee 122 130 122 130 Pelitions to the Commis	ssioner
Claims below Paid 123 50 123 50 Processing fee under 3	
Total Claims 35 -20 ** = 15 X 18 = 270   126 180 126 180 Submission of Information   126 180 Submission of Information   126 180 Submission of Information   126 180 Submission   126 180 Submission	
Claims 5 -3** = 2 X 80 = 160  Multiple Factoring each patent 581 40 581 40 per properties)  Recording each patent (times num	
Dependent properties)  Large Entity Small Entity 146 740 246 370 Filing a submission after (37 CFR § 1.129(a))	er final rejection
Fee Fee Fee Fee Description 149 740 249 370 For each additional inverse examined (37 CFR § 1.	
103 18 203 9 Claims in excess of 20	
102 80 202 42 Independent claims in excess of 3 179 740 279 370 Request for Continued Exa	
104 280 204 140 Multiple dependent claim, if not paid 169 900 169 900 Request for expedited exa of a design application	ımination
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110 18 210 9 ** Reissue claims in excess of 20 and over original patent Cther for (specify)	
Other fee (specify)	
SUBTOTAL (2) (\$) 430  *Reduced by Basic Filing Fee Paid SUBTOTAL (	(\$) 40

SUBMITTED BY				Co	Complete (if applicable)	
Name (Print/Type)	Joseph P. Curtin	Registration No. Attorney/Agent)	34,571	Telephone	(202) 508-9100	
Signature	Jode Ca			Date	January 14, 2002	

WARKING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.







## United States Patent and Trademark Office

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231 www.uspto.gov

APPLICATION NUMBER FILING/RECEIPT DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NUMBER

09/917,776

07/31/2001

Evan McConnell

05131.00003

**CONFIRMATION NO. 1483** 

**FORMALITIES LETTER** \*OC000000006548744\*

22907 **BANNER & WITCOFF** 1001 G STREET N W **SUITE 1100** WASHINGTON, DC 20001

Date Mailed: 09/13/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

168.00

01/6月42002(HN00) FILED UNDER 37 CFR 1.53(b)

#### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$430.
  - \$270 for 15 total claims over 20.
  - \$160 for 2 independent claims over 3.
- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1270.

The application is informal since it does not comply with the regulations for the reason(s) indicated below

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin (7). Sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (5/8 inch), and a bottom least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom of at least 1.0 cm. (3/8 inch); drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE